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SENATE BILL 2154 By  
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HOUSE BILL 2598  
By Kerr

AN ACT to amend Tennessee Code Annotated, Title 62, Chapter 5, relative to the practice of funeral directing.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 62-5-101(3)(A)(ii), is amended by deleting the sub-item in its entirety and by substituting instead the following language:

(ii) Making of arrangements to provide funeral services and/or the making of financial arrangements for the rendering of the service, including, accepting, or offering to obtain, funeral merchandise for the funeral service from a source other than the funeral establishment of the funeral director, in accordance with the instructions of the person responsible for the payment of the funeral services being requested;

SECTION 2. Tennessee Code Annotated, Section 62-5-101(3)(B), is amended by adding the following language as a new, appropriately designated sub-item:

( ) The sale of funeral merchandise;

SECTION 3. Tennessee Code Annotated, Section 62-5-101, is amended by adding the following language as new, appropriately designated subdivisions:

( ) "Funeral merchandise" means a casket, urn, or other receptacle or container used for burial, entombment or other final disposition of a dead human body or the remains thereof;

( ) "Casket" means a rigid container that is designed for the encasement of a dead human body and that is constructed of wood, metal, or another rigid material, is ornamented and lined with fabric, and may or may not be combustible;

( ) "Urn" means a receptacle designed to encase cremated remains permanently;

SECTION 4. Tennessee Code Annotated, Title 62, Chapter 5, Part 1, is amended by adding the following language as a new, appropriately designated section:

Section \_\_\_\_\_. (a) A funeral director is authorized to sell funeral merchandise at or through the funeral director's funeral establishment.

(b) A funeral director is required to disclose to the person responsible for the payment of the funeral services being requested for a dead human body that such person is not required to purchase funeral merchandise for the funeral service from such funeral director.

SECTION 5. Tennessee Code Annotated, Section 62-5-303(a), is amended by adding the following language as a new, appropriately designated subdivision:

(3) Nothing in this part shall be construed to require a person to be licensed by the board of funeral directors and embalmers if the person is only engaged in the sale of funeral merchandise exempted under Section 2 of this act.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.